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MEMO ENDORSED

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December 1, 2016

VIA ECF FILING

Honorable Judge Kenneth M. Karas
U.S. District Court Judge
The Hon. Charles L. Brieant Jr.
Federal Building & Courthouse
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Settlement of Case
Edward J. Reynolds v. LifeWatch, Inc., et al.
Civil Action No.: 14-CV-3575 (KMK)
Our File No.: 170.191

Dear Honorable Judge Karas:

Our law firm represents the plaintiff, Edward J. Reynolds, in the captioned matter. This letter is in response to the defendant's letter requesting a pre-motion conference.

A pre-motion conference will not be necessary. The case was settled yesterday. The settlement is on an individual basis rather than as a class action. I was exchanging e-mails about the settlement with Jason Sultzer, Esq. at the same time that that Joe Lipari of the Law Offices of Jason Sultzer filed his pre-motion letter. I assume that Joe Lipari was not aware of the settlement talks or the eventual agreement to settle the case on an individual basis. The parties will work on the settlement agreement. Once it has been finalized and signed, we will file a stipulation of dismissal.

We called Magistrate Judge McCarthy's Chambers and left a message about the settlement of the case. There is a conference schedule before her next Wednesday, December 7th, at 10:30 a.m. The conference will no longer be necessary.

Thank you for your time on this matter.

Respectfully yours,

GAINEY McKENNA & EGLESTON

Barry J. Gaine

The 12/7 conference is
conceded.

So Ordered.

KMK
12/1/16

BJG/dxg

cc: All counsel
(Via ECF Filing)